



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

July 14, 2004

SUBJECT: **2004-0464 – Tim Bevins** [Applicant] **Yamaoka George and Misako Trustee** [Owner]: Application on a 1.5-acre site to allow renewal of a Special Development Permit for a social club and expanded hours and monthly special events. The property is located at **1155 Reed Avenue** in an M-S/ ITR/R3/PD (Industrial & Service/ Industrial To Residential/Medium Density Residential/ Planned Development) Zoning District. (APN: 213-01-003)

REPORT IN BRIEF

Existing Site Conditions Existing multi-tenant service industrial building.

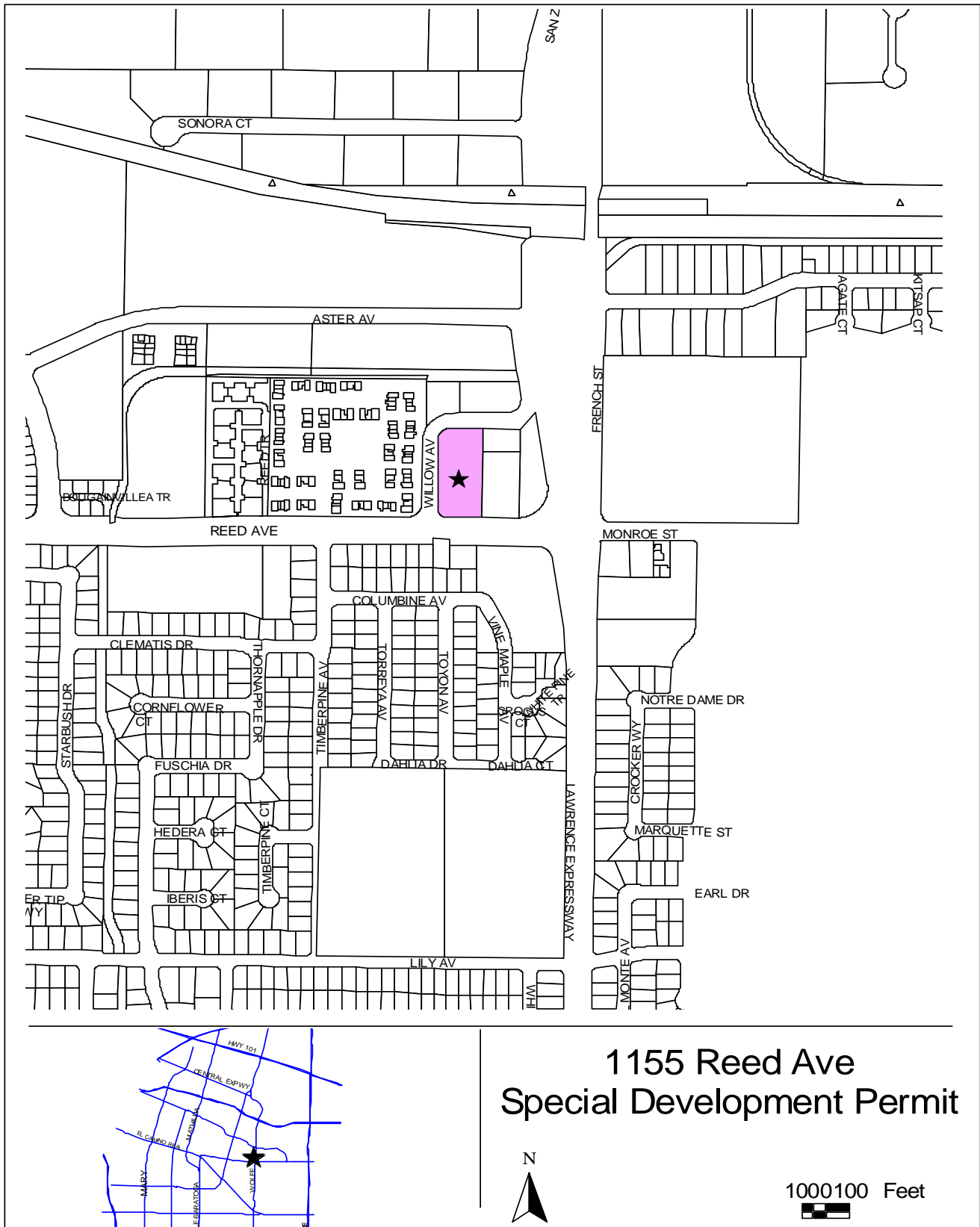
Surrounding Land Uses

North	Service Industrial
South	Medium Density Residential
East	Service Industrial
West	Medium Density Residential

Issues Operations and parking

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with conditions



PROJECT DATA TABLE

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED/ PERMITTED</u>
General Plan	Medium Density Residential ITR	Same	--
Zoning District	M-S/ITR/R-3/PD	M-S/ITR/R-3/PD	---
Lot Size (s.f.)	67,082	67,082	22,500
Gross Floor Area (s.f.)	19,920	5,589 tenant	--
Lot Coverage (%)	29.8	same	35 max.
Floor Area Ratio(% FAR)	29.8	same	45 max.
No. of Buildings On-Site	1	same	---
Building Height (ft.)	16	same	75 max.
No. of Stories	1	same	8 max.
Setbacks (facing prop.)			
• Front(Reed Ave)	50	same	25 min.
• Left Side	48	same	20 min.
• Right Side	40	same	20 min.
• Rear	76	same	None min.
Landscaping (sq. ft.)			
• Total Landscaping	8,525	8,525	9,723 min.
• Frontage Width (ft.)	10-15	same	15 ft. min.
Parking			
• Total No. of Spaces	102	Project 163	240 min.
• No. of Compacts	none	none	10 % max.
• No. of Accessible	4	Project uses 1	4 min.
• Bicycle Parking	0	0	None min.

ANALYSIS**Background**

Previous Actions on the Site: The following table is a short list of prominent projects related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
1964-0163	Ice Skating Rink	PC/approved	6-02-64
1985-0541	Restaurant and other uses	PC/approved	6-24-85
2003-0220	Social Club (subject use)	Admin/Approved	4-30-03
2004-0039	Auto Repair	Admin/Approved	2-25-04

Description of Proposed Project

The applicant is pursuing the permanent establishment of a non-commercial meeting and gathering space within an existing building. The applicant's original approval for a social club was conditional with a requirement for a

renewal within one-year of commencing the use. As part of the social club's operations they are currently permitted to operate seven days a week from 10:00 AM to 10:00 PM and to have special events for up to 10 specified holidays per year. The application for renewal also includes a request for modified hours of operation to allow two additional meeting times of 6:00 AM to 7:30 AM and from 12:00 AM to 1:30 AM, as well as an allowance for monthly special events regardless of holiday affiliation.

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions. Class 1 exemptions include modifications to existing facilities.

Special Development Permit

Use: The proposed social club is intended to provide facilities for support and services of people in recovery programs. The Mid-Peninsula Alano Club is a non-profit group that is acting as the proponent for this project, as well as the entity that will operate the facility. Based upon testimony in the minutes from the previous approval the general evening meetings may have 50 people attend with a maximum of about 80 people at any one time on the site. The proposed additional morning and evening meetings would have smaller levels of attendance based upon a target audience of business persons meeting in the morning and the midnight meeting oriented to people coming off of late shifts that cannot attend during the standard hours of operation. The applicant has suggested willingness to institute the special meetings on a trial basis if need be for initial approval.

The facility is proposed to operate as follows:

- 7 days a week from 10:00 AM to 10:00 PM (*original approval*)
 - Group Meeting from 6:00 AM to 7:30 AM weekdays and 12:00 AM to 1:30 AM on Fridays and Saturdays
- Specified Holidays 24-hours for support meetings and gatherings (*original approval*)
- Monthly 2nd Saturday night social function 9:30 PM to 12:30 PM
 - Entertainment may include a DJ service, no live entertainment proposed

Site Layout:

The proposed use is located within an existing building on a site that can be accessed from both Reed Avenue and Willow Avenue. The property has one building that is occupied by a pizza restaurant along the Reed Avenue frontage, a newly approved auto repair facility in the middle of the building, and the remaining tenant spaces used as storage/warehousing of non-associated businesses. Outdoor congregation of members, primary ingress and egress, or

other activities is to occur on the east side of the building away from the residential uses across Willow Avenue.

Architecture:

No changes are proposed.

Parking/Circulation:

A significant parking deviation from the code standard for places of assembly was approved as part of the prior permit. The social club is permitted to utilize 48 of the available 102 parking spaces where a parking demand of 162 spaces is required. The recently approved auto repair facility has limited hours of 6:00 AM to 4:00 PM so as not to impact the evening peak parking demand of the restaurant use and the social club. No changes to the intensity of use or conversion of parking are proposed relevant to the evening peak parking demand of the site. The previous justifications and findings included consideration of testimony that up to 50% of the attendees may not be able to drive alone to the site. The previous parking deviation for 48 spaces is recommended to be included with this permit.

Compliance with Development Standards

The application, under any standard parking demand calculation, does not comply with requirements for parking. A deviation is necessary to approve the project's deficient parking status. Total landscape area and frontage strip widths are deficient for the site. No changes are recommended for this application due to the lack of any proposed site improvements related to the proposed use.

Expected Impact on the Surroundings

Issues relevant to the existing commercial and residential uses are parking and general operations. As discussed above, the calculated parking demand exceeds the level of on-site parking. The spillover of demand could infringe upon adjacent parking facilities and onto the public street, Willow Avenue. No parking is permitted on Reed Avenue.

The general impacts of the facility would be similar to a commercial use. The associated noise of persons arriving and departing from the site, as well as incidental interaction outside of the building may be a concern to adjacent residents. As part of this application the applicant has requested an opportunity for once-a-month social functions on Saturday night that may include a DJ for music and entertainment. The applicant is not requesting amplification, live entertainment, or outdoor activities as part of the operation.

Review of the Neighborhood Preservation Division records regarding the applicant's use and the site as whole reveal no complaints within the past year since the Alano Club has begun operating. The prior approval required individual notice of adjacent neighbors for special events akin to the current request for monthly social functions. Planning Staff has not received complaints regarding these miscellaneous functions over the past year.

Due to the apparent successful operation of the club over the past year within the conditions of approval restrictions, staff is recommending that the individual notice of events be discontinued in regards to the Saturday social functions as a an ongoing monthly event. Staff does not recommend requiring further yearly renewals of the Special Development Permit. Other conditions regarding hours of operation and manner of conduct are included in the conditions of Attachment 2. Public outreach and good neighbor habits are encouraged to continue, but the City will take the standard role of complaint-based enforcement of Use Permit conditions if this permit is approved.

Applicable General Plan Policies	Comments
<i>Land Use and Transportation Element</i> <i>Policy N1.13 Promote an attractive and functional commercial environment.</i> <i>Policy N1.14 Support the provision of a full spectrum of public and quasi-public services that are appropriately located.</i>	<p>The calculated parking demand for the site is at least 50% above provided parking</p> <p>There is an overlap of peak parking hour demand between the restaurant and social club</p> <p>The majority of the social club's clientele may not be legally permitted to drive</p> <p>Site has exceptional access to alternative transportation in the form of bus routes, Caltrain, bike lanes, car pool lanes</p>
<i>Socio-Economic Element</i> <i>Policy 5.1H.5 Support programs that decrease drug and alcohol use and dependence in the community.</i>	<p>The Alano Club states an absence of this type of facility between San Mateo and south San Jose.</p>

Findings, General Plan, and Conditions of Approval

Staff was able to make the required Findings based on the analysis and justifications for the Special Development Permit. It is difficult to strike a balance between the competing community desires for adequate parking and quasi-social services for the public. Factoring in the applicant's justification that the clientele are less likely to drive supports a reduced expectation of

parking demand that coupled with the societal benefits of the project, support its parking deviation and approval with conditions.

- Findings and General Plan Compliance are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 179 notices were mailed to the property owners and residents adjacent to the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Alternatives

1. Approve the Special Development Permit with conditions as recommended by Staff.
2. Approve the Special Development Permit with modified conditions.
3. Deny the Special Development Permit.

Recommendation

Recommend Alternative 1

Prepared by:

Kelly Diekmann
Project Planner

Reviewed by:

Diana O'Dell
Senior Planner

Attachments:

1. Findings
2. Conditions of Approval
3. Site and Architectural Plans
4. Letter from applicant original permit
5. Letter from applicant renewal request
6. Minutes and findings from original approval

Findings - Special Development Permit

1. *The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project.*

The site is situated in an area that has good access for the local and regionally based clientele of the non-profit social club. The major vehicle transportation thoroughfares of Lawrence Expressway and Reed Avenue serve the site. These roadways are complimented by primary VTA bus routes, car pool lanes, and bike lanes. In addition, the site is within a quarter mile of a CalTrain station that provides easy access to alternative transportation.

The access elements of the site coupled with the fact that a majority of the proposed recovery programs clientele's are not legally able to drive diminishes the parking expectations for the proposed use as compared to the calculated rates of the SMC. The reduced parking expectation provides support for the proposed deviation to required parking.

Taking advantage of the site's transportation qualities while not materially compromising the parking needs of the area attains the objectives of the Transportation and Land Use Element in providing for a full spectrum of public and quasi-public services that are appropriately located. The proposed use also satisfies the Socio-Economic Element objective of supporting programs that decrease drug and alcohol dependence in the community. The public need for the proposed recovery programs and services have a societal benefit to the City of Sunnyvale.

2. *Ensure that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties.*

The use of the property as described by applicant will not impair existing uses of adjacent properties, in that the applicant will be required to comply with all building and operational regulations, and club activities will occur inside the building. Based upon testimony of approximately 80 persons being on site at a peak time and the assertion that potentially 50% of the attendees may not be able to drive alone the concerns of parking availability are satisfied in relation to the social club use. Other operational issues such as noise are addressed in the conditions of approval and will be minimized or eliminated.

Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances and Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval.

1. This Special Development Permit is only valid for a social club with the types of services for individuals recovering from alcohol, drug addiction, substance abuse, co-dependency and/or other behavioral problems as described in the Special Development Permit application and as such is expressly permitted a deviation to Zoning Code Section 19.46.50 as follows:

The social club is authorized to provide a reduced number of parking spaces to serve its members, specifically allowing for 48 parking spaces of the 102 existing on site.

2. The hours of operation are restricted as follows:
 - A. 10:00 AM to 10:00 PM for general meetings seven days a week;
 - B. Exceptions for up to 10 individual Holiday related events that may provide services and availability of space for 24-hours a day. (Attachment 4)
 - C. Specific special group weekday meetings from 6:00 AM until 7:30 AM and weekend special group meetings from Midnight until 1:30 AM.
 - D. Social Functions for the 2nd Saturday of each month may operate from 9:30 PM until 12:30 PM with entertainment services of a DJ.
3. Live entertainment and outdoor activities are not permitted as part of this SDP.
4. General conduct and manner of operations shall primarily utilize the east side of the building for ingress and egress to the social club, temporary or incidental congregation or assembly of participants, vehicle parking, all other activities, and vehicle ingress and egress shall primarily occur via Reed Avenue.

5. The club shall implement and maintain an educational program to inform and train members on good neighbor relations related to parking, noise, loitering, etc. The plan is subject to review and approval by the Director of Community Development prior to occupancy of the building. The plan shall include these items:
 - a. Signage shall be posted near the exits and outside the club requesting that members be quiet when leaving the premises, and to discourage loitering.
 - b. Social Club staff shall periodically monitor the parking lot to control loitering, litter, noise, or any other undesirable activities.
 - c. A program for neighbors to raise concerns about club activities. This program may include items such as:
 - Posting of contact phone numbers on exterior of facility
 - Periodic meetings with concerned neighbors
6. Any proposed signage shall be in conformance with a master sign program and approved by the city and property owner.
7. The Special Development Permit shall be valid only in conjunction with detailed plans and description of uses as submitted or as may be modified by the reviewing authority of the City during a public hearing. Minor changes of the approved plans may be approved administratively by the Director of Community Development. Major revisions shall require an additional public hearing.

